

Donald W. Heyrich
OSBA #072645
dheyrich@heyrichlaw.com
Daniel Kalish (admitted *pro hac vice*)
dkalish@hkmlegal.com
Heyrich Kalish McGuigan PLLC
1325 Fourth Avenue, Suite 540
Seattle, WA 98101
Telephone: (206) 838-2504
Fax: (206) 838-2505
Attorney for Plaintiff Robert Shanklin and proposed Plaintiff Class

David J. Riewald, OSBA No. 880969
driewald@bullardlaw.com
Bullard Smith Jernstedt Wilson
1000 SW Broadway, Suite 1900
Portland, OR 97205
503-248-1134/Telephone
503-224-8851/Facsimile

John C. Fox, CA Bar No. 135668 (admitted *pro hac vice*)
jfox@foxwangmorgan.com
Jay J. Wang, CA Bar No. 206127 (**admitted *pro hac vice***)
jwang@foxwangmorgan.com
Alexa L. Morgan, CA Bar No. 234911 (**admitted *pro hac vice***)
amorgan@foxwangmorgan.com
Fox, Wang & Morgan P.C.
160 West Santa Clara Street, Suite 700
San Jose, California 95113
408-844-2350/Telephone
408-844-2351/Facsimile

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT SHANKLIN, individually, and on
behalf of a class of others similarly situated,

Plaintiff,

v.

SLEEP COUNTRY USA, Inc.,

Defendant.

NO. 3:10-CV-00406-MO

**STIPULATION AND PROPOSED ORDER
TO DISMISS WITH PREJUDICE**

[Clerk's Action Required]

STIPULATION AND PROPOSED ORDER TO DISMISS WITH PREJUDICE

STIPULATION

Plaintiffs and Defendant respectfully move this Court for an order dismissing this matter, with prejudice, and without an award of costs or fees to either party.

Dated this 2nd day of August, 2013.

HEYRICH KALISH McGUIGAN PLLC

/s/ Daniel Kalish

By: Daniel Kalish (admitted pro hac vice)
Attorneys for Representative Plaintiff and
proposed Plaintiff Class

Fox, Wang & Morgan P.C

s/s Jay Wang

By: Jay J. Wang (admitted *pro hac vice*)
Attorneys for Defendant Sleep Country
USA, Inc.,

[PROPOSED] ORDER

Plaintiffs and Defendant respectfully move this Court for an order dismissing this matter, with prejudice, and without an award of costs or fees to either party. This stipulation is hereby GRANTED. This action is DISMISSED with prejudice, and without an award of fees or costs to either party.

Dated this ¹³ day of August, 2013

/s/Michael W. Mosman

The Honorable Michael W. Mosman